



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

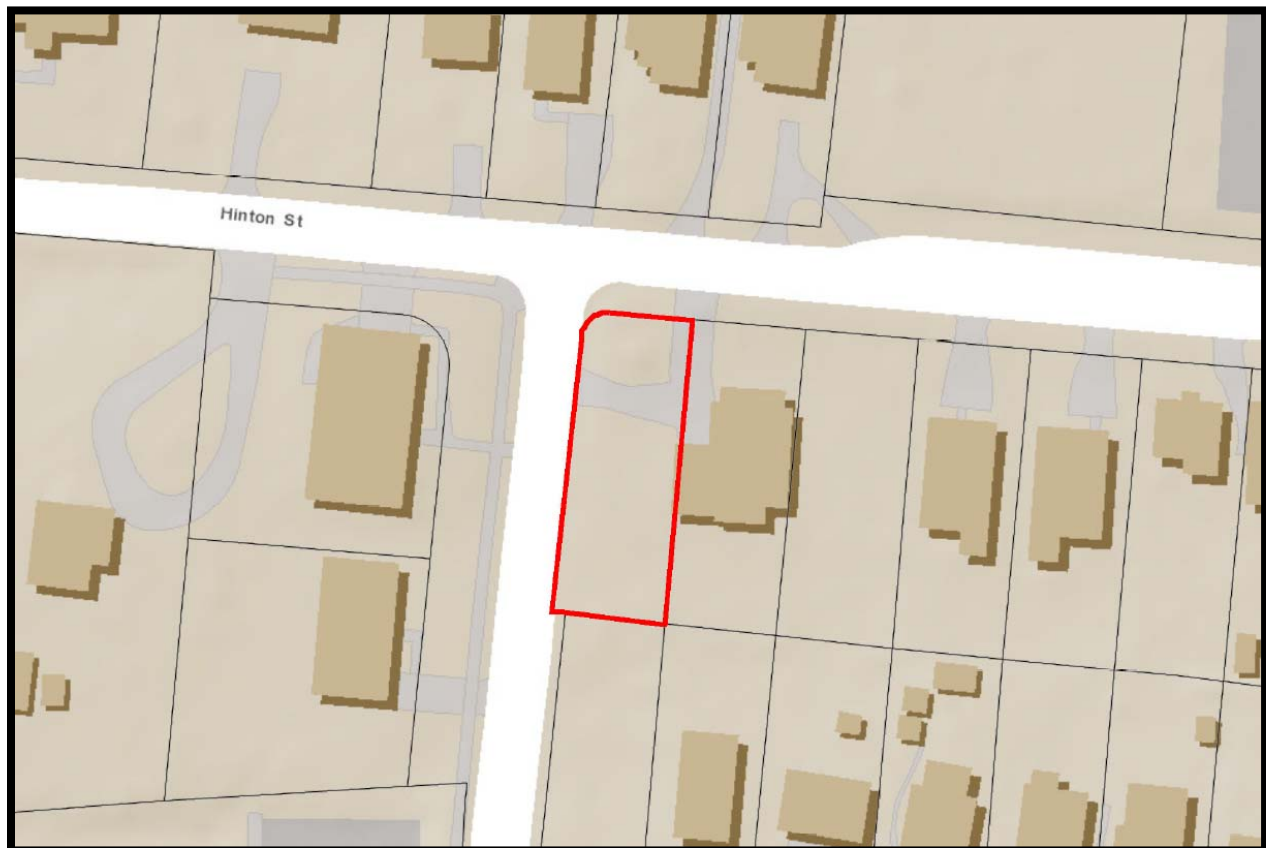
Case File: A-61-17

Property Address: 2321 Hinton Street

Property Owner: Gephart Building Company, LLC

Project Contact: Isabel Mattox

Nature of Case: A request for a 4,844 square foot minimum lot size variance and a 35.26' minimum corner lot width variance pursuant to Section 2.2.1 of the Unified Development Ordinance to legalize the existing lot configuration as well as a 5' side street setback variance, a 2' side setback variance and a 2' sum of side setbacks variance pursuant to Section 2.2.1. of the Unified Development Ordinance to allow for the construction of a detached house that results in a 5,156 square foot 29.74' wide lot (existing) with a 10' side street setback, an 8' side setback and an 18' sum of side setbacks on a .12 acre parcel zoned Residential-4 and located at 2321 Hinton Street...

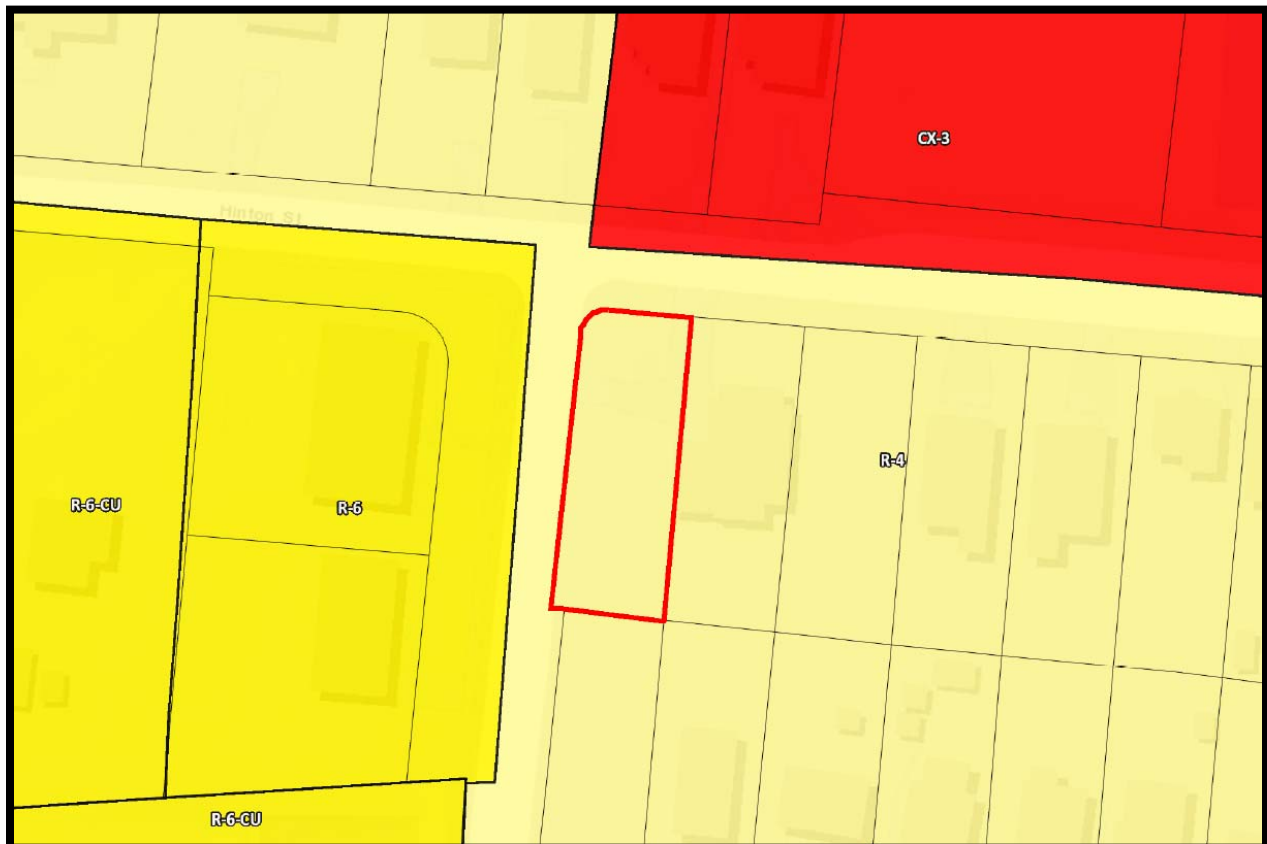


2321 Hinton Street – Location Map

To BOA: 5-8-17

Staff Coordinator: Eric S. Hodge, AICP

ZONING
DISTRICTS: Residential-4



2321 Hinton Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

Yard Type

Minimum Setback

Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Application for Variance



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

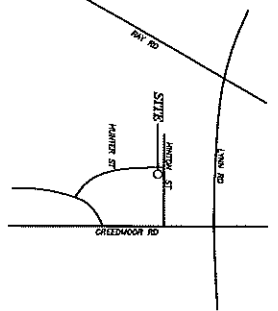
NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): SEE ATTACHED EXHIBIT A.	Transaction Number A-61-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address	2321 Hinton St.	Date
Property PIN	0797423450	Current Zoning
Nearest Intersection	Hinton St. and Hunter St.	Property size (in acres)
Property Owner	Gephart Building Company, LLC	Phone
Owner's Mailing Address	4016 Barrett Dr., Suite 201, Raleigh, NC 27609	Fax
Project Contact Person	Isabel Worthy Mattox	Phone
Contact Person's Mailing Address	PO Box 946, Raleigh, NC 277602	Fax
Property Owner Signature	Email	
By:	isabel@mattoxfirm.com	
Notary	Notary Signature and Seal	
Sworn and subscribed before me this 7th day of April, 2017	 Michelle A. Finlayson michelle a. finlayson	

EXHIBIT A
Application for Variance
2321 Hinton Street
Gephart Building Company, LLC

As a result of hardships and practical difficulties relating to (i) the 2001 conveyance of five feet of right-of way along Hunter Street to the City of Raleigh; (ii) the very small lot size of a single existing non-conforming lot; and (iii) Applicant's desire to build a house of a width which will be consistent with the neighborhood, Applicant requests the following variances in UDO Section 2.2.1. for a single family lot zoned R-4:

- a) 2.2.1.A: variances in the minimum area, lot width (corner lot) and lot depth to legalize the existing nonconformity;
- b) 2.2.1.B.2: a variance of five feet in the side street setback to allow the setback along a side street to be 10 feet (10') rather than the required fifteen feet (15');
- c) 2.2.1.B.3 a variance of two feet (2') in the side setback to allow the side setback to be 8 feet (8') rather than the required ten feet (10'); and
- d) 2.2.1.B.4 a variance of two feet (2') in the sum of side setbacks to allow the sum of the side setbacks to be 18 feet (18') rather than the required twenty feet (20').



I, Jeffrey H. Davis, PLS, certify this map was drawn under
my supervision from an actual survey made under my supervision
and that the error of closure as calculated by latitudes and
departures is 1/10,000'; and the standard error of
any closure on a basis here plotted from information found in
Book --- Page ---; and that this map was prepared in
conformance with G.S. 57-30 amended.

Witness my original signature, registration number and seal this
5TH day of MARCH, 2017.

BOM 2003, PG 1717

R=10.00'
L=15.87'
Delta=90°56'03"


This survey is of another category, such as the recombination or setting purely, a court-ordered survey, or other exception to the definition of subdivision.

Planning and Development Officer/State County Review Officer

REVISIONS

Preliminary Plat
Not for recordation,
conveyances, or sales

OWNER NEW LOTS 5, 6 & 7
MICHAEL ROSE PROPERTIES, LLC
2504 VILLAGE GROVE ROAD
DALLAS, TEXAS 75244

 **TURNING POINT**
SURVEYING PLLC
4113 JOHN S. RABOTEAU WYND
RALEIGH, NORTH CAROLINA 27612
FAX 800-948-0213 PH 919-781-0231
License No: P-0121

RECOMBINATION MAP
 LOTS 5, 6 & 7
 NANNIE HUNTER PROERTY
 2321 HINTON STREET
 WAKE COUNTY
 RALEIGH NORTH CAROLINA

DATE:	03-06-2017
DRAWN BY:	DC
CHECK'D. BY:	JMD
JOB NO.	C-819
SCALE:	1" = 20'
C.N. =	24835
DWG. NO.	

RECORDED IN BOOK OF MAPS _____, PAGE _____, WAKE COUNTY
CASE # R-29-17, TRANS#506077
SHEET 1 OF 1

Book No.: _____

Page No.: _____

Signature(s) of property owner(s): _____

MICHAEL ROSE PROPERTIES, LLC
MICHAEL ROSE (member/manager)

State of North Carolina, County of Wake
I certify that the following person(s) personally appeared before me this day, upon solemnly sworn to me that he/she is the person named in the foregoing document for the purpose stated therein and in the capacity indicated:

MICHAEL ROSE PROPERTIES, LLC by
MICHAEL ROSE (name/relationship)
Date: _____ 2017.

(Official Seal)

GRAPHIC SCALE

TYPE USE: SINGLE

N/F DALLIE MAE
LOT 11, NANNIE HUNTER
DB 1498, PG 44
PIN# 0797.18-42-4
TYPE USE: SINGLE FA

6-2017
DC
JHD
C-819
= 20'

N/A
L
G
PINA
T

city
regarding
regional
in

person(s) personally
day, each acknowledged
signed the foregoing
stated therein and in

North Carolina, County
that the following person
before me this day,
that he/she voluntarily
for the purpose stated
MICHAEL ROSE PROPERT
MICHAEL ROSE (member
2017.

State of North
I certify that
appeared before
to me that
document for
the capacity

MICHA
MICHA
Date: _____

those counties having
the county registrar
(have) the

and any accompanying records of the same shall be recorded in the records and as such may

owner(s): _____

3. _____
_____ of property owner _____
MICHAEL ROSE (member)

Book No.: _____
Page No.: _____
Signature(s) _____

079744000
Gephart Building Company, LLC
4016 Barrett Drive, Suite 201
Raleigh, NC 27609

0797420180
WINDSOR SPRING HOUSING ASSOC LLC
7706 SIX FORKS RD
RALEIGH NC 27615-5067

0797421441
JUDD, ERVIN YOUNG
PO BOX 328
HOLLY SPRINGS NC 27540-0328

0797422322
LOVE, JAMES J LOVE, RACHEL A
109 KEITHWOOD LN
CARY NC 27511-7235

0797422432
HARRINGTON, DERRICK D
6227 HUNTER ST
RALEIGH NC 27612-6702

0797422528
ADAMS, CORA L ADAMS, CHARLES D JR
1613 SAINT PATRICK DR
RALEIGH NC 27603-4911

0797422587
LIGGETT, SHIRLEY L
5617 27TH ST N
ARLINGTON VA 22207-1411

0797423248
JENKINS, DAVID L
131 DEREHAM LN
GARNER NC 27529-6769

0797423298
CAMPOS, MODESTA
2320 LILAC LN
RALEIGH NC 27612-6722

0797423450
Gephart Building Company, LLC
4016 Barrett Drive, Suite 201
Raleigh, NC 27609

0797423537
JACOBS, JOSEPH E JACOBS, STACEY P
4909 OLD MILLCREST CT
RALEIGH NC 27609-5379

0797423577
EQUITY TRUST CO /CUSTODIAN DAVID G
EDWARDS IRA
900 BRIDGE WAY
RALEIGH NC 27615-5806

0797424238
TECLEE TECHNOLOGIES LLC
PO BOX 33335
RALEIGH NC 27636-3335

0797424287
DAVIS, DALLIE MAE
2312 LILAC LN
RALEIGH NC 27612-6722

0797424399
KLI INVESTMENT PROPERTIES LLC
1708 TURTLE RIDGE WAY
RALEIGH NC 27614-7722

0797424440
Gephart Building Company, LLC
4016 Barrett Drive, Suite 201
Raleigh, NC 27609

0797424526
EVANS, DEBRA M MOORE, DEXTER L
2304 LILAC LN
RALEIGH NC 27612-6722

0797425226
YOUNG, ROBERT
2705 LITTLE JOHN RD
RALEIGH NC 27610-4227

0797425275
HOPSON, SHIRLEY M
2304 LILAC LN
RALEIGH NC 27612-6722

0797425339
KLI INVESTMENT PROPERTIES LLC
1708 TURTLE RIDGE WAY
RALEIGH NC 27614-7722

0797425388
LIGGETT, WILLIE HEIRS LIGGETT, SHIRLEY
L
5617 27TH ST N
ARLINGTON VA 22207-1411

0797425516
FMR PROPERTIES LLC
PO BOX 17102
RALEIGH NC 27619-7102

0797427515
FMR PROPERTIES LLC (NAME CHANGE
PER COMPANY)
PO BOX 17102
RALEIGH NC 27619-7102